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10/519,223	11/21/2005	Marek Strassenburg-Kleciak	11336/788 (P03122US)	9718

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EXAMINER	
SAJOUS, WESNER	
ART UNIT	**PAPER NUMBER**
2628	

NOTIFICATION DATE	DELIVERY MODE
04/21/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/519,223	STRASSENBURG-KLECIAK ET AL.	
	Examiner	Art Unit	
	Sajous Wesner	2628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 December 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *18-28,33,34,37-43,49 and 51* is/are allowed.

6)☒ Claim(s) *1-17,29-32,35,36,44-48 and 50* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Remarks

This communication is responsive to the amendment and response dated December 13, 2007. Claims 1-51 are presented for examination.

Response to Arguments

1. Applicant's arguments with respect to claims 1-51 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

2. The indicated allowability of claims 9-17 and 50 is withdrawn in view of the newly discovered reference(s) to Trovato. Rejections based on the newly cited reference(s) follow.

Information Disclosure Statement

3. The information disclosure statements (IDS) submitted on11/13/07, 12/13/07 and 1/18/08 were filed after the mailing date of the first office action on 7/13/07. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 1-2, 6, 44, 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco (US 5194969) in view of Yoshida et al. (JP10275246).

Considering claims 1-2, DiFrancesco discloses a method of developing a surface of an electronic representation of an object (as defined by fig. 1) comprises providing an electronic representation of an object (20 fig. 2A); selecting a source texture as a function of the visual appearance of the object (see col. 4, lines 22-42); transforming the source texture to form at least part of a complex texture representative of a surface of the object (see fig. 2B, and col. 4, lines 54-58, col. 5, lines 17-22); creating a transformation procedure that forms the complex texture (e.g., producing a transformed borderless texture sample from texture patterns that can be mapped onto any desired surface area, see col. 2, lines 39-47); associating a transformation procedure with the surface of the electronic representation of the object, where the transformation procedure is performed to form the complex texture (see col. 7, line 67- to col. 8, line 32, and col. 8, line 58 to col. 9, line 10), and selectively applying the complex texture to a surface of the electronic representation of the object (see col. 7, line 67 to col. 8, line 32).

DiFranscesco fails to teach storing transformation procedure with a unique identifier; and associating the unique identifier with a surface of the electronic representation of the object, which is disclosed by Yoshida at paragraph 16; i.e. an identifier is generated, wherein the identifier is for identifying coordinate mapping information which defines the coordinate corresponding relationship between the texture image and the three-dimensional shape of the main body, and a texture Image information including an attendant object positional information in response to said identifier, the texture information corresponding to the texture image information shown by main identifier is read from a texture information storage part.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the texture mapping system of DiFrancesco to include the use of unique identifier to store transformation procedure associated with a surface of an electronic object representation, in the same conventional manner as taught by Yoshida; in order to allow the system or user to read or retrieve specific texture image information and/or transformation procedure from a storage unit.

As per claim 6, DiFrancesco discloses selectively transforming comprises manipulating the source texture in a source texture manipulation display to create a source transformation procedure; positioning the source texture that has been manipulated in a complex texture formation display to create a complex transformation procedure; and combining the source transformation procedure and the complex transformation procedure to form a transformation procedure

representative of the complex texture. See col. 4, lines 54-58, col. 5, line 17 to col. 9, line 10.

6. Claims 9-13, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco (US 5194969) in view of Yoshida et al. (JP10275246) and in view of Trovato (US 20030021343).

Regarding claims 9-13 and 16-17, Difrancesco and Yoshida disclose the features of claim 9, as similarly defined in the claims 1-2 rejections above; except that DiFrancesco and Yoshida fail to specifically teach a texture library of source textures with assigned unique identifiers and apply to transform an object texture to texturize a surface, including the association of an identifier of a texture with the surface of an electronic representation, which is disclosed by Trovato (see paragraphs 25-29 in light paragraph 22).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the texture mapping system of DiFrancesco and Yoshida to include the texture library of Trovato; in order to encode an image that has areas that can be described as having a particular texture characteristic.

7. Claims 29-32 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin et al. (US6285373) in view of Fouts et al. (US 20060087505).

Considering claims 29-31, Baldwin discloses most claimed features of the invention as set forth in the previous office action 7/13/06; however, Baldwin fails to teach a GUI component that captures a plurality of transformation operations applied by a user of a computer to a [source] texture and develop and a transformation procedures comprises the captured transformation operations, which is interpreted as providing a graphical user interface component with tools that allows a user to modify texture mappings associated with an object, as disclosed by Fouts (see paragraphs 14-16, 41-73), wherein the modified textures or texture modifications corresponds with the developed transformation procedures; and by allowing the user to apply various different standard texture mapping functions (see paragraph 16), a plurality of transformation operations are captured.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the features of Baldwin to include the use of a GUI for texture modification, in the same conventional manner as taught by Fouts; in order to allow the user to correct texture mapping artifacts on the object's coarse features quickly and easily. See Fouts paragraph 16.

Re claim 32, Baldwin discloses the library component includes a source texture category operable to store the source texture, a complex texture category operable to store the transformation procedure and a texture directory to display the contents of the source texture category and the complex texture category in a tree structure. See col. 5, line 25 to col. 6, line 51.

As per claim 36, Baldwin discloses the computer comprises a server computer (510, fig. 5) having a master texture library (520) and a client computer (530) having a local texture library (540), the library component operable to synchronize the master texture library of the server computer with the local texture library of the client computer when the client computer connects to the server computer. See col. 6, lines 35-60.

Claims 37 and 39 contain features that are analogous to the limitations recited in claims 29 and 30. As the limitations of claims 29 and 30 are anticipated by the teaching of Baldwin, it is readily apparent that the applied prior art performed the underlying elements. As such, the limitations of claims 37 and 39 are rejected under the same rationale as claims 29 and 30, respectively.

As per claim 38, Baldwin discloses the source texture (via remote computer 510) comprises an image file (that is incorporated with object data 550).

8. Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco, Yoshida et al. and Trovato and further in view of Fouts.

Re claims 14-15, DiFrancesco, Yoshida et al. and Trovato do not disclose transformation procedure that includes at least one of coloring, mirroring and rotating a source texture and complex transformation procedure that includes one of scaling, positioning and ordering of a source texture, which is disclosed by Fouts (see paragraphs 15-16, 41-73).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the features of DiFrancesco, Yoshida et al. and Trovato to include the use of a GUI for texture modification, in the same conventional manner as taught by Fouts; in order to allow the user to correct texture mapping artifacts on the object's coarse features quickly and easily. See Fouts paragraph 16.

9. Claims 44, 46-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco (US 5194969) in view of Yoshida and further in view of Fouts et al. (US 20060087505).

Considering claims 44, and 46-47, DiFrancesco and Yoshida disclose most claimed features of the invention as described above with respect to claims 1 and 2 (see col. 4, lines 54-58; col. 5, lines 17-22; col. 7, line 67- to col. 8, line 32; and col. 8, line 58 to col. 9, line 10, as characterization for the memory device with instructions to select and transform a source texture); however, DiFrancesco and Yoshida fail to teach capturing a transformation procedure as executable instructions to apply a complex texture to a surface of an electronic representation when it is displayed, which is disclosed by Fouts (see paragraphs 14-16, 41-73), wherein the modified textures or texture modifications corresponds with the developed transformation procedures; and by allowing the user to apply various different standard texture mapping functions (see paragraph 16), a plurality of transformation operations are captured.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the features of DiFrancesco, and Yoshida to include the use of a GUI for texture modification, in the same conventional manner as taught by Fouts; in order to allow the user to correct texture mapping artifacts on the object's coarse features quickly and easily. See Fouts paragraph 16.

10. Claims 3-4, and 7-8, 45 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco in view of Yoshida and further in view of Buckner et al. (US 5471572).

Regarding claims 3-4, and 7-8, DiFrancesco and Yoshida disclose the features of claim 1, as claimed; however, DiFrancesco and Yoshida do not explicitly disclose applying the transformed and stored complex texture associating a unique identifier with the surface representation of the object.

Buchner discloses the transformed and stored source complex texture with unique identifier as claimed. See col. 4, lines 8-19, 57-66, col. 5, lines 1-52, wherein the unique identifier(s) correspond(s) to the LOD type associated with the equation that defines the source texture. Therefore, it would have been obvious to one of ordinary skill in the art to implement the unique identifiers of Buchner in the surface development method of DiFrancasco and Yoshida, since the unique identifiers of Buchner describe texture level of details providing improved texturing resolutions.

Claim 45 contains features that are analogous to the limitations recited in claim 3; it is therefore rejected under the same rationale as claim 3.

11. Claims 5, 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco and Yoshida in view of Wang et al. (5802361).

DiFrancesco discloses the surface development method substantially as claimed. However, DiFrancesco does not explicitly disclose entering a search mode and library mode to find and select an image file from a source texture library component.

Wang et al. discloses the search and library modes as claimed. See col. 16, lines 4-45, and fig. 1.

Therefore, it would have been obvious to one of ordinary skill in the art to implement the search and library modes of Wang et al. in the surface development method of DiFranceaco and Yoshida, since the selection of texture images of Wang allows for an improvement in texturing systems providing user personalized texturing system by the selection of user designated image file textures.

Claim 48 contains features that are analogous to the limitations recited in claim 5; it is therefore rejected under the same rationale as claim 5.

12. Claim 35 rejected under 35 U.S.C. 103(a) as being unpatentable over Baldwin and Fouts in view of Wang et al. (5802361).

Considering claim 35, Baldwin and Fouts disclose the texturizing system substantially as claimed. However, Baldwin and Fouts do not explicitly disclose a

texture selection component having a library mode and a search mode to identify textures.

Wang et al. discloses the search and library modes as claimed. See col. 16, lines 4-45, and fig. 1.

Therefore, it would have been obvious to one of ordinary skill in the art to implement the search and library modes of Wang in the texturizing system of Baldwin and Fouts since the selection of texture images of Wang allows for an improvement in texturizing systems providing user personalized texturizing systems by the selection of user designated image file textures.

13. Claims 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over the prior art of the immediately preceding paragraph and further in view the obviousness to implement the texturizing system utilizing an electronic object of many different types, storing the identifiers with the object, which is based upon the preferred choice of In addition, Yoshida discloses electronic object being of three-dimensional image or model forms whereby the objects are stored with their unique identifiers (see paragraph 16).

14. Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over DiFrancesco (US 5194969) in view of Yoshida and further in view of Fouts et al. (US 20060087505).

Regarding claim 50, DiFrancesco Yoshida and Fouts disclose most claimed features of the invention, as defined by the rejections of claim 44 above;

except that they fail to teach under lay a background image within the [complex] texture- interpreted as the overlaying of a texture onto/within an image, which is disclosed by the texture mapping system of Fouts. It is noted to those of artisan skilled in the art that the process of texture mapping involves the overlaying a texture onto the surface of an electronic image representation.

Therefore, it would have been obvious to modify the systems of DiFrancesco Yoshida and Fouts to include to under lay a background image within the [complex] texture, in order to fine tune a texture mapping according to a user's preferences.

Allowable Subject Matter

15. Claims 18-28, 33-34, 37-43, 49, and 51 are allowed for reasons indicated in the previous communication, namely by incorporating the limitations of previously objected claims into their base claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajous Wesner whose telephone number is 571-272-7791. The examiner can normally be reached on M-F 9:15-6:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi can be reached on 571-272-7664. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Sajous Wesner
Primary Examiner
Art Unit 2628

WS
2/6/08